



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,718	01/13/2004	John Randall West	07464-0004	3834
25213	7590	12/27/2007		
HELLER EHRMAN LLP 275 MIDDLEFIELD ROAD MENLO PARK, CA 94025-3506			EXAMINER DAO, THUY CHAN	
			ART UNIT	PAPER NUMBER
			2192	
			MAIL DATE	DELIVERY MODE
			12/27/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

10/757,718

Applicant(s)

WEST ET AL.

Examiner

Thuy Dao

Art Unit

2192

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Davis (Reg. No. 29,294).

(3) Mr. Satheesh (Inventor).

(2) Thuy Dao.

(4) \_\_\_\_\_.

Date of Interview: 13 December 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: WinRunner.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required


Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Satheesh (the inventor) briefly described the invention and distinguished it over the prior art WinRunner.

Per the proposed amendments in claim 1, the examiner respectfully suggested:

- a) Preamble: the phrase to be amended as - -A method for generating [[test cases that are converted to an abstract representation]] test scripts comprising: - - according to claim 1, lines 12-13;
- b) Line 3: "is used" should be deleted;
- c) Lines 4-5: it appears that the new limitations "test data is separated from test steps in the abstract representations" do not have full support from the originally filed disclosure and should be amended/deleted;
- d) Line 6: the phrase to be amended as - -[[providing]] generating rule-based test cases using rule-based generation of test cases from an abstract representation that includes ..." according to the specification, page 3, [0015-0016]; and
- e) Line 13, the phrase to be amended as - -and the rule-based test cases can be used to ...- - according to page 12, [0061].

It was agreed that the Applicants would consider the suggestions and submit the supplemental amendments before December 20, 2007.



TUAN DAM  
SUPERVISORY PATENT EXAMINER

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

# HellerEhrman

ATTORNEYS

275 Middlefield Road  
Menlo Park, CA 94025-3506  
Main (650) 324-7000  
Fax (650) 324-0638

## Facsimile Transmittal

To: Examiner Thuy Chan Dao  
Telephone:

Fax: 571 273-8570

From: Paul Davis  
Telephone: 650-324-7041  
Direct Fax: 650-324-0638

No. of Pages: 3 (including cover)  
Date: December 6, 2007

07464-0004 (4983)

Message:

**Re: 10/757,718**

## REQUESTS FOR INTERVIEW

SV 2311858 v1  
12/6/07 11:20 AM (07464.0002)

The information contained in this communication is intended only for the use of the addressee and may be confidential, may be attorney-client privileged and may constitute inside information. Unauthorized use, disclosure or copying is strictly prohibited, and may be unlawful. If you have received this communication in error or you have not received all pages, please call the sender immediately at (650) 324-7000.

Heller Ehrman LLP [www.hewm.com](http://www.hewm.com)

San Francisco    Chicago    Los Angeles    San Diego    Seattle    Portland    Anchorage    New York    Washington, D.C.    Madison, WI

**REQUEST FOR INTERVIEW****PROPOSED DATE: December 13****TIME: 11 EAST COAST TIME**

In re application of: West

Serial No.: 10/757,718

Filed: 01/13/2004

For: Method and system for rule-based  
generation of automation test scripts  
from abstract test case representation

Group No.: 2191

Examiner: Dao

Conf. No. 3834

**Discussion Agenda:**

Claim 1 will be amended for the RCE. Applicants would like to discuss the proposed amendment for the RCE and how it overcomes the WinRunner reference.

The proposed amended claim 1 reads as follows:

1. (currently amended) A method for generating test cases that are converted to an abstract representation comprising:

using semantic analysis is used to convert the test cases to abstract representations, wherein test data is separated from test steps in the abstract representations;

providing rule-based ~~generation of~~ test cases from an abstract representation that includes application states, external interaction sequences and input data of test cases from data stores, wherein each application state is a set of application objects associated with a set of attributes and their values, or represents a runtime snapshot of an application under test which defines a context of external interaction;

validating the rule based ~~generated~~ test cases; and

converting the rule based test cases to test scripts that are platform independent  
and can be used to generate scripts in different target environments.